



National Pollutant Discharge Elimination System Permit

for Discharge to Surface Waters

NPDES GENERAL PERMIT

FOR

DISCHARGES FROM

PETROLEUM CONTAMINATED GROUNDWATER

This permit authorizes the discharge of petroleum contaminated groundwater to waters of the State of South Carolina in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I through VIII herein. This permit is issued in accordance with the provisions of the Pollution Control Act (S. C. Code Sections 48-1-10 et seq., 1976) and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 et seq., the "CWA."

Director, Industrial, Agricultural, and Storm Water Permitting Division
Bureau of Water

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Table of Contents

Preface	3
Part I – Definitions.....	3
Part II – Permit Coverage.....	7
Part III – Notice of Intent Requirements.....	10
Part IV – Standard Conditions	12
Part V – Termination of Coverage.....	27
Part VI – Schedule of Compliance.....	28
Part VII – Numeric Effluent Limitations, Fresh Water	29
Part VII – Numeric Effluent Limitations, Salt Water	31
Part VII– Numeric Effluent Limitations, Whole Effluent Toxicity, <i>Ceriodaphnia dubia</i>	32
Part VII– Numeric Effluent Limitations, Whole Effluent Toxicity, <i>Mysidopsis bahia</i>	33
Part VIII – Special Conditions.....	34
Rationale	

PREFACE

The South Carolina Pollution Control Act and the CWA provides that discharges from a point source to waters of the State and of the United States are unlawful, unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit.

PART I - DEFINITIONS

- A. “7Q10” means the minimum seven-day average flow rate that occurs with an average frequency of once in ten years as published or verified by the U. S. Geological Survey (USGS) or an estimate extrapolated from published or verified USGS data.
- B. “10-year, 24-hour precipitation event” means the maximum 24-hour precipitation event with a probable recurrence interval of once in 10 years.
- C. “Arithmetic Mean” for any set of values means the summation of the individual values divided by the number of individual values.
- D. “Best Management Practices” (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.
- E. A “composite sample” shall be defined as one of the following four types:
 - 1. An influent or effluent portion collected continuously over a specified period of time at a rate proportional to the flow.
 - 2. A combination of not less than 8 influent or effluent grab samples collected at regular (equal) intervals over a specified period of time and composited by increasing the volume of each aliquot in proportion to flow. If continuous flow measurement is not used to composite in proportion to flow, the following method will be used: An instantaneous flow measurement should be taken each time a grab sample is collected. At the end of the sampling period, the instantaneous flow measurements should be summed to obtain a total flow. The instantaneous flow measurement can then be divided by the total flow to determine the percentage of each grab sample to be combined. These combined samples form the composite sample.
 - 3. A combination of not less than 8 influent or effluent grab samples of equal volume but at variable time intervals that are inversely proportional to the volume of the flow. In other words, the time interval between aliquots is reduced as the volume of flow increases.
 - 4. If the effluent flow varies by less than 15 percent, a combination of not less than 8 influent or effluent grab samples of constant (equal) volume collected at regular (equal) time intervals over a specified period of time.
- F. “Crude Oil” means a fossil fuel that comes from the compressed remains of ancient plants and animals. Gasoline and Diesel are examples.

- G. “CWA” means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.
- H. “Daily maximum” means the highest average value recorded of samples collected on any single day during the calendar month.
- I. “Department” means the South Carolina Department of Health and Environmental Control or an authorized representative.
- J. “Director” means the EPA Regional Administrator or an authorized representative.
- K. “EPA” means the United States Environmental Protection Agency.
- L. “Freshwater” means any freshwater as defined by Regulation 61-68 and classified by Regulation 61-69.
- M. “Gasoline or Diesel” means a hydrocarbon-based fuel that can be burned in internal combustion engines to power everything from jet planes to automobiles to railroad locomotives.
- N. “Grab Sample” means an individual discrete or single influent or effluent portion of at least 100 milliliters collected at a time representative of the discharge and over a period not exceeding 15 minutes and retained separately for analysis. Where a number of grab samples are used to form a composite, instantaneous flow measured at the time of grab sample collection shall be used to calculate quantity.
- O. “Instantaneous maximum or minimum” means the highest or lowest value recorded of any sample collected during the calendar month.
- P. “Leaded Gasoline” refers to all leaded gasolines.
- Q. “Light Distillate Oils” are Fuel oils #1, #2, diesel oils #1-D, #2-D, kerosene, Jet A and jet propellants (JP) #4, #7, and #8.
- R. “MGD” means million gallons per day.
- S. “Monthly average” means the arithmetic mean of all samples collected in a calendar month period.
- T. “NOI” means notice of intent to be covered by this permit (see Part III of this permit.)
- U. “NOT” means notice of termination (see Part V of this permit.)
- V. “Outfall” or “Point Source” means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.
- W. “Petroleum” is a thick, flammable, yellow-to-black mixture of gaseous, liquid and solid hydrocarbons that occur naturally beneath the earth’s surface. Petroleum is a crude oil or any fraction thereof that is liquid under normal conditions of temperature and pressure.

- X. “Petroleum Contaminated Groundwater Discharges” means discharges that are contaminated with petroleum products that are a result of excavation dewatering, bailing groundwater monitoring wells, conducting pump tests to characterize site conditions or pumping contaminated groundwater to remove free product from the ground from which the contamination is from petroleum products.
- Y. “Petroleum Products” means petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils, that are derived from crude oil through the process of separation, conversion, upgrading, and finishing.
- Z. “Practical Quantitation Limit (PQL)” means the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. It is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specific sample weights, volumes, and processing steps have been followed.
- AA. “Residual Oils” are residual fuel oils #4, #5 and #6 (Bunker C), lubricating oils, and hydraulic fluids.
- BB. “Saltwater” means Class SA and SB as classified by R.61-69 or as defined by tidal saltwaters in R.61-68.
- CC. “Significant materials” includes, but is not limited to raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
- DD. “Significant spills” includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).
- EE. “TPH” means Total Petroleum Hydrocarbons. TPH can be used to detect and measure gasoline, kerosene, #2 fuel oil (diesel fuel), #4 and #6 fuel oil, varsol, JP4 jet fuel, transmission fluid, mineral oil, submersible pump oil, and lubricating oils (#10, 20, 30 and multiviscosity) in water samples.
- FF. “Unleaded Gasoline” is aviation gasoline, regular, mid-grade and premium unleaded fuels or any fuels containing MTBE.
- GG. “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with the numeric effluent limitations of Part VI of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- HH. “Waters of South Carolina” means all waters of the United States within the political boundaries of the State of South Carolina.

II. “Waters of the United States” means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate “wetlands”;
3. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, wet meadows, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
 - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 - c. Which are used or could be used for industrial purposes by industries in interstate commerce.
4. All impoundments of waters otherwise defined as waters of South Carolina under this definition;
5. Tributaries of waters identified in Part I.II.1-4 of this definition;
6. The territorial sea; and
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in Part I.II.1-6 of this definition.
8. Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of South Carolina. This exclusion applies only to manmade bodies of water which neither were originally created in waters of South Carolina (such as disposal areas in wetlands) nor resulted from the impoundment of waters of South Carolina.

PART II - PERMIT COVERAGE

A. Permit Area

The permit covers all areas of South Carolina.

B. Eligibility

1. This permit may cover all new and existing point source discharges of petroleum contaminated groundwater to surface waters of South Carolina, as identified in this section below, except for discharges identified under Part II.B.3. Petroleum contaminated groundwater consists of any of the following, alone or in combination: Excavation dewatering, bailing groundwater monitoring wells, conducting pump tests to characterize site conditions or pumping contaminated groundwater to remove free product or dissolved petroleum constituents from the ground.
2. This permit may authorize petroleum contaminated groundwater discharges that are mixed with other discharges provided the other discharges are in compliance with the terms and conditions, including NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.
3. Limitations on Coverage. This permit does not authorize the following discharges:
 - a. Petroleum contaminated groundwater discharges that are mixed with sources of non-petroleum contaminated groundwater.
 - b. Petroleum contaminated groundwater discharges that are subject to an existing effluent limitation guideline addressing petroleum contaminated groundwater.
 - c. Petroleum contaminated groundwater discharges that are located at a facility where an NPDES permit has been terminated or denied; or which are issued a permit in accordance with Part II.C of this permit. Such discharges may be authorized under this permit after an existing permit expires or is canceled;
 - d. Petroleum contaminated groundwater discharges that the Department has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard; and
 - e. Petroleum contaminated groundwater discharges that would adversely affect a listed endangered or threatened species or its critical habitat.
 - f. This permit does not authorize petroleum contaminated groundwater discharges to Trout Waters (Class TN, TPT or TPGT), Outstanding Resource Waters (ORW) or Shellfish Harvesting Waters (SFH) as classified by SC Regulation 61-69.

C. Authorization

1. New Petroleum Contaminated Groundwater Discharges
 - a. A new Petroleum Contaminated Groundwater Discharger must, except as provided in 1.b below, submit a complete Petroleum Contaminated Groundwater Discharge General Permit Notice of Intent

(NOI) in accordance with the requirements of Part III of this permit at least 60 days prior to the commencement of the petroleum contaminated discharge. A new Petroleum Contaminated Groundwater Discharger is authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage.

- b. The Department may determine that an individual permit application for a proposed Petroleum Contaminated Groundwater Discharge qualifies for coverage under this permit. Discharges for which individual permit applications for Petroleum Contaminated Groundwater Discharges have been submitted are authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage. The Department may require additional information from the permit applicant to determine appropriate permit conditions.
- c. A new Petroleum Contaminated Groundwater Discharger is required to meet the final effluent limits in Part VII of this permit upon commencement of the discharge.

2. Existing Petroleum Contaminated Groundwater Discharges

- a. Any existing Petroleum Contaminated Groundwater Discharge discharger not previously covered by the General Permit who has submitted a timely, complete NPDES application for an existing individual permit which the Department determines qualifies for General Permit coverage is authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage. The Department may require additional information from the permit applicant to determine appropriate permit conditions. Until coverage and limitations are determined, the limitations from the previous permit for the covered outfall(s) remain in effect.
- b. Any existing Petroleum Contaminated Groundwater Discharge discharger previously covered by the General Permit who has submitted a timely, complete Notice of Intent (NOI), in accordance with Part III, for coverage under the General Permit is authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage. The Department may require additional information from the permit applicant to determine appropriate permit conditions.

3. Facilities with petroleum contaminated discharges that meet the following requirements have automatic coverage by this permit and are not required to submit an NOI. These facilities are not required to conduct sampling nor report any data from their petroleum contaminated discharges that are to be land applied.

- a. For Groundwaters Purged from Monitoring Wells, Aquifer Pump Tests or Excavation Dewatering, all of the following conditions must be satisfied:
 - (1) The groundwater pollutant concentrations shall be less than ten (10) times the MCL for all parameters (the most current PQLs should be used for testing purposes-see Appendix 2);
 - (2) Purged groundwater shall not be allowed to discharge to the storm sewer or surface waters;
 - (3) Purged groundwater shall be applied in such a way that it infiltrates over the delineated contaminant plume and within the property boundaries of the site, or within approximately a five foot radius of the well from which it was purged;
 - (4) There shall be no presence of liquid phase petroleum products, to include sheen or emulsion in the purged groundwater;
 - (5) The purged groundwater shall not be land applied during saturated or frozen ground conditions;

- (6) Sampling of pump test water shall be done at a rate of no less than once per every eight hours of pumping; and
- (7) The one-time discharge shall not exceed 5000 gallons per day and 48-hours duration.

If analytical tests reveal no contamination exists from petroleum products or sources other than petroleum contamination as a result of the testing, the above conditions have been met and the Department's Groundwater project manager has been notified with a date for commencement of discharge, the permittee can proceed with discharge without submitting a NOI. A short summary of the proposed activity and a copy of the analytical tests and records of disposal shall be kept onsite during discharge.

- 4. A Petroleum Contaminated Groundwater Discharge discharger is not precluded from submitting an NOI in accordance with the requirements of this part after the effective date of this permit. In such instances, the Department may bring an enforcement action for failure to submit an NOI in a timely manner or for any unauthorized discharges that have occurred.
- 5. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

PART III - NOTICE OF INTENT REQUIREMENTS

A. Contents of Notice of Intent: The Notice of Intent shall be signed in accordance with Part IV.K of this permit and shall include the following information:

1. A completed EPA Form 1 including the following information at a minimum:
 - a. Facility name, contact, mailing address, and location (including the county) for which the notification is submitted;
 - b. Up to four 4-digit Standard Industrial Classification (SIC) codes and names that best represent the principal products or activities provided by the facility.
 - c. The operator's name, address, telephone number, and status as Federal, State, private, public or other entity;
 - d. The permit number of additional NPDES permits for any discharges from the site that are currently, or has been previously, authorized by an NPDES permit;
 - e. A US Geological Survey (USGS) 7.5" or 15" topographic quadrant map (or portion of the map along with the name of the quadrant) showing the proposed point of discharge and ultimate receiving waters, and a description of the discharge location.
2. A completed EPA Form 2C (for existing discharges) or Form 2D (for proposed or new discharges) to include the following at a minimum for each outfall:
 - a. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the receiving water(s) for the discharge through the municipal separate storm sewer;
 - b. Latitude and longitude (to the nearest 15 seconds) for the outfall and the name of the receiving water(s).
 - c. If a new discharge, indicate the expected date the discharge will proceed;
 - d. Provide effluent data or estimate the discharge characteristics as required, per application instructions. Data from previous and/or similar discharges should be used if available. Outfalls with identical expected pollutant loadings may be included on one page if indicated as such;

- e. An estimate of the discharge flow using best professional judgment based on past data, similar sites, or stormwater calculations. This estimate must be accompanied with a description of the means of estimation;
- f. Indicate and describe the variability of the discharge;
- g. Briefly describe any treatment system(s) used or to be used;
- h. Briefly describe the source of contamination;
- i. Name, title, phone number, signature, and date, in accordance with Part IV.K (Signatory Requirements).

3. Additional information to be submitted as part of the NOI

- a. A statement certifying that easements for the discharge of wastewater have been obtained by the permittee for any conveyances of the discharge not on the property of the permittee and which do not constitute Waters of the State;
- b. A copy of the lab analysis for the worst case well sampled by EPA Method 8260 or 8270 for Total Copper, Total Lead, Total Nickel, Total Zinc, Total Mercury, BOD₅, Naphthalene, pH, MTBE, 1,2-Dichloroethane, Ethylene Dibromide and any other constituents believed present.

B. Where to Submit

Facilities which intend to be covered under this permit must use the appropriate NOI form provided by the Department (or photocopy thereof). Forms are available by calling (803) 898-4232. NOIs must be signed in accordance with Part IV.K. (Signatory Requirements) of this permit. NOIs are to be submitted to the Department in care of the following address:

SC Dept. of Health and Environmental Control
Bureau of Water
NPDES/ND Permit Administration
2600 Bull Street
Columbia, SC 29201

C. Individual Applications

Any applicant that has previously filed an individual application and has not received an NPDES permit can receive coverage under this general permit. To do so, a letter may be sent to the Department requesting coverage in lieu of an individual permit. Any attachments needed to meet the NOI requirements in Part III.A should also be submitted.

PART IV - STANDARD CONDITIONS

A. Duty to comply

The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

- a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
- b. It is the responsibility of the permittee to have a treatment facility that will meet the final effluent limitations of this permit. The approval of plans and specifications by the Department does not relieve the permittee of responsibility for compliance.
- c. Failure to comply with permit conditions or the provisions of this permit may subject the permittee to civil penalties under S.C. Code Section 48-1-330 or criminal sanctions under S.C. Code Section 48-1-320. Sanctions for violations of the Federal Clean Water Act may be imposed in accordance with the provisions of 40 CFR Part 122.41(a)(2) and (3).
- d. A person who violates any provision of this permit, a term, condition or schedule of compliance contained within this NPDES permit, or the State law is subject to the actions defined in the State law.

B. Duty to reapply

1. Permittees required to submit an NOI per Part II.C. must submit an NOI in accordance with the requirements of Part III of this permit at least 180 days prior to the permit expiration date (unless an extension has been granted) to remain covered under the continued permit after expiration. The completed NOI should be submitted to the Department at the address in Part III.B.
2. An NOI submitted in accordance with Part III will be used to determine coverage under the new General Permit when this permit is reissued. The Department may, at the time of permit reissuance, require additional information to be submitted based on changes in the reissued general permit.

C. Need to halt or reduce activity not a defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Duty to mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper operation and maintenance

1. The permittee shall at all times properly operate and maintain in good working order and operate as efficiently as possible all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance based on design facility removals, adequate funding, adequate operator staffing and training and also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
2. Power Failures. In order to maintain compliance with effluent limitations and prohibitions of this permit, the permittee shall either:
 - a. provide an alternative power source sufficient to operate the wastewater control facilities;
 - b. or have a plan of operation which will halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.
3. The permittee shall provide for the performance of routine daily treatment plant inspections by a certified operator of the appropriate grade as specified in the construction permit. The inspection shall include, but is not limited to, areas which require a visual observation to determine efficient operations and for which immediate corrective measures can be taken using the O & M manual as a guide. All inspections shall be recorded and shall include the date, time and name of the person making the inspection, corrective measures taken, and

routine equipment maintenance, repair, or replacement performed. The permittee shall maintain all records of inspections at the permitted facility as required by this permit. Records shall be made available for on-site review during normal working hours.

- a. The Department may make exceptions to operating requirements, as follows:
 - i. Attendance by the certified operator of the appropriate grade (“the operator”) is normally required only on days when treatment or discharge occurs.
 - ii. For performance of daily inspections, permits may allow a reduced grade of operator for limited time periods under specific circumstances when justified by the permittee in a staffing plan approved by the Department.
 - iii. Reduced inspection frequency, but in no case less than weekly, may be suitable, if there is a complete telemetry of operating data and there is either a simple treatment system with a low potential for toxicity but requiring pumps or other electrical functions or the ability to stop the discharge for an appropriate period when necessary.
 - iv. In other circumstances where the permittee demonstrates the capability to evaluate the facility in an alternative manner equivalent to the inspection requirements in subparagraph 3.a.
 - v. Any exceptions allowed under i, ii, iii, iv, above may be subject to compliance with the permit conditions.
 - b. Under any of these options, the permittee may not be relieved from the requirement to have a certified operator. Section 48-1-110(c) of the South Carolina Pollution Control Act (SC Code of Laws, 1987, Chap. 1, Title 48) requires a certified operator for all wastewater treatment systems. The Department must approve, in writing, any request for an exception noted in 3.b.ii, iii, and/or iv above. In no case will an inspection by a certified operator be allowed less than once per calendar month.
4. The name and grade of the operator of record shall be submitted to DHEC/Bureau of Water/Water Enforcement Division prior to placing the facility into operation. A roster of operators associated with the facility's operation and their certification grades shall also be submitted with the name of the “operator-in-charge”. Any changes in operator or operators shall be submitted to the Department as they occur.

For those facilities that have an oil/water separator, a minimum classification of I-P/C and an operator requirement of Grade D-P/C shall be assigned (this does not supersede any more stringent classification and operator assignment at a previous permitted facility).

F. Permit actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

G. Property rights

This permit does not convey any property rights of any sort, or any exclusive privilege nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.

H. Duty to provide information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

I. Inspection and entry

The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and Pollution Control Act, any substances or parameters at any location.

J. Monitoring and records

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

a. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be present and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than $\pm 10\%$ from the true discharge rates throughout the range of expected discharge volumes. The primary flow device must be accessible to the use of a continuous flow recorder. Where a flume is present, a separate stilling well for Department/EPA use must be provided.

b. The permittee shall maintain at the permitted facility a record of the method(s) used in measuring the discharge flow for the outfall(s) designated on limits pages to monitor flow. Records of any necessary calibrations must also be kept. This information shall be made available for on-site review by Department personnel during normal working hours.

2. The permittee shall retain the BMP plan developed in accordance with this permit until at least three (3) years after coverage under this permit terminates. The permittee shall retain all records of all monitoring information (including calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the NOI to be covered by this permit, until at least three (3) years after coverage under this permit terminates. This period may be explicitly modified by alternative provisions of this permit or extended by request of the Department at any time. The permit expiration date shown on the cover page of this permit need not necessarily be the same as the permit termination date.

3. Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

4. a. Monitoring results for wastewater must be conducted according to test procedures approved under 40 CFR Part 136.
- b. Unless addressed elsewhere in this permit, the permittee shall use a sufficiently sensitive analytical method that achieves a value below the derived permit limit stated in Part VII. If more than one method of analysis is approved for use, the Department recommends for reasonable potential determinations that the permittee use the method having the lowest practical quantitation limit (PQL) unless otherwise specified in Part VII of the permit. For the purposes of reporting analytical data on the Discharge Monitoring Report (DMR):
 - (1) Analytical results below the PQL from methods available in 40 CFR 136 or otherwise specified in the permit shall be reported as zero (0). Zero (0) shall also be used to average results which are below the PQL. When zero (0) is reported or used to average results, the permittee shall report, in the “Comment Section” or in an attachment to the DMR, the analytical method used, the PQL achieved, and the number of times results below the PQL were reported as zero (0).
 - (2) Analytical results above the PQL from methods available in 40 CFR 136 or otherwise specified in the permit shall be reported as the value achieved. When averaging results using a value containing a “less than”, the average shall be calculated using the value and reported as “less than” the average of all results collected.
 - (3) Mass values shall be calculated using the flow taken at the time of the sample and either the concentration value actually achieved or the value as determined from the procedures in (1) or (2) above, as appropriate.
5. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

K. Signatory requirement.

1. All applications, reports, or information submitted to the Department shall be signed and certified.
 - a. Applications. All permit applications shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
 - (b) The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency or public facility: By either a principal executive officer, mayor, or other duly authorized employee or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator, Region IV, EPA).
- b. All reports required by permits, and other information requested by the Department, shall be signed by a person described in Part IV.K.1.a, or by a duly authorized representative of that person. A person is a duly authorized representative if:
- (1) The authorization is made in writing by a person described in Part IV.K.1.a of this section;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
 - (3) The written authorization is submitted to the Department.

- c. Changes to authorization. If an authorization under Part IV.K.1.b of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part IV.K.1.b of this section must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
 - d. Certification. Any person signing a document under Part IV.K.1.a or b of this section shall make the following certification: “I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
2. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

L. Reporting requirements

- 1. Planned changes. The permittee shall give written notice to DHEC/Bureau of Water/Industrial, Agricultural and Storm Water Permitting Division as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in R 61-9.122.29(b); or
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Part IV.L.5 of this section.
 - c. The alteration or addition results in a significant change in the permittee's sewage sludge or industrial sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the

permit application process or not reported pursuant to an approved land application plan (included in the NPDES permit directly or by reference);

2. Anticipated Noncompliance. The permittee shall give advance notice to the DHEC/Bureau of Water/Water Enforcement Division of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
3. This permit is not transferable to any person except after written notice to the DHEC/Bureau of Water/NPDES Administration. The Department may require modification or revocation and reissuance of the permit to change the name of permittee and incorporate such other requirements as may be necessary under the Pollution Control Act and the Clean Water Act.
 - a. Transfers by modification. Except as provided in paragraph b of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under R.61-9.122.62(e)(2)), or a minor modification made (under R.61-9.122.63(d)), to identify the new permittee and incorporate such other requirements as may be necessary under CWA.
 - b. Other transfers. As an alternative to transfers under paragraph a of this section, any NPDES permit may be transferred to a new permittee if:
 - (1) The current permittee notifies the Department at least 30 days in advance of the proposed transfer date in Part II.L.3.b(2) of this section;
 - (2) The notice includes U.S. EPA NPDES Application Form 1 and a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - (3) Permits are non-transferable except with prior consent of the Department. A modification under this section is a minor modification which does not require public notice.
4. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - a. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form and include the following:
 1. Effluent Monitoring: Effluent monitoring results obtained at the required frequency shall be reported on a Discharge Monitoring Report Form (EPA Form 3320-1). Permittees must submit monitoring results obtained during each reporting period running from March to February on Discharge Monitoring Report Form(s) postmarked no later than the

28th day of the following March. The original only of the monitoring report is required. Discharge Monitoring Reports (DMRs) shall be submitted to:

S.C. Department of Health and Environmental Control
Bureau of Water/Compliance Assurance Division
Permit and Data Administration Section
2600 Bull Street
Columbia, South Carolina 29201

2. All other reports required by this permit shall be submitted at the frequency specified elsewhere in the permit to:

S.C. Department of Health and Environmental Control
Bureau of Water/Water Enforcement Division
Water Pollution Enforcement Section
2600 Bull Street
Columbia, South Carolina 29201

- b. If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in R.61-9.503 or R.61-9.504, or as specified in the permit, all valid results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department. In addition, results from all invalid results must be appended to DMRs. The permittee has sole responsibility for scheduling analyses, other than for the sample data specified in Part VII, so as to ensure there is sufficient opportunity to complete and report the required number of valid results for each monitoring period.
- c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

5. Twenty-four hour reporting

- a. The permittee shall report any non-compliance, which may endanger health or the environment. Any information shall be provided orally to local DHEC office within 24 hours from the time the permittee becomes aware of the circumstances. During normal working hours call:

County	EQC District	Phone No.
Anderson Oconee	Appalachia I	864-260-5569
Greenville Pickens	Appalachia II	864-241-1090

Cherokee, Spartanburg Union	Appalachia III	864-596-3800
Chester, Lancaster York	Catawba	803-285-7461
Fairfield, Lexington Newberry, Richland	Central Midlands	803-896-0620
Beaufort, Colleton Hampton, Jasper	Low Country	843-522-9097
Aiken, Allendale, Bamberg, Barnwell, Calhoun, Orangeburg	Edisto Savannah	803-641-7670
Chesterfield, Darlington, Dillon, Florence, Marion, Marlboro	Pee Dee	843-661-4825
Berkeley, Charleston Dorchester	Trident	843-740-1590
Abbeville, Edgefield, Greenwood Laurens, McCormick, Saluda	Upper Savannah	864-223-0333
Georgetown, Horry Williamsburg	Waccamaw	843-448-1902
Clarendon, Kershaw Lee, Sumter	Wateree	803-778-1531

After-hour reporting should be made to the 24-Hour Emergency Response telephone number 803-253-6488 or 1-888-481-0125 outside of the Columbia area. A written submission shall also be provided to the address in Part IV.L.4.a.2 within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

- b. The following shall be included as information that must be reported within 24 hours under this paragraph.
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See R.61-9.122.44(g)).
 - (2) Any upset which exceeds any effluent limitation in the permit.
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours (See R 61-9.122.44(g)). If

the permit contains maximum limitations for any of the pollutants listed below, a violation of the maximum limitations shall be reported orally to the DHEC/Bureau of Water/Water Enforcement Division within 24 hours.

- (a) Whole Effluent Toxicity (WET),
- (b) tributyl tin (TBT), and
- (c) any of the following bioaccumulative pollutants:

α BHC	Lindane
β BHC	Mercury
δ BHC	Mirex
BHC	Octachlorostyrene
Chlordane	PCBs
DDD	Pentachlorobenzene
DDE	Photomirex
DDT	1,2,3,4-Tetrachlorobenzene
Dieldrin	1,2,4,5-Tetrachlorobenzene
Hexachlorobenzene	2,3,7,8-TCDD
Hexachlorobutadiene	Toxaphene

- c. The Department may waive the written report on a case-by-case basis for reports under Part IV.L.5.b of this section if the oral report has been received within 24 hours.
6. Other noncompliance. The permittee shall report all instances of noncompliance not reported under Part IV.L.4 and 5 of this section and Part VI at the time monitoring reports are submitted. The reports shall contain the information listed in Part IV.L.5 of this section.
7. Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information to the Industrial, Agricultural and Storm Water Permitting Division. This information may result in permit modification, revocation and reissuance, or termination in accordance with Regulation 61-9.
8. Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under Part IV.L.1 of this section, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the DHEC/Bureau of Water/Water Enforcement Division of the Department as soon as they know or have reason to believe:
- a. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:

- (1) One hundred micrograms per liter for any (other than below) toxic pollutant (100 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - (4) The level established by the Department in accordance with section R.61-9.122.44(f).
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed in the highest of the following “notification levels”:
- (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with R.61-9.122.21(g)(7).
 - (4) The level established by the Department in accordance with section R.61-9.122.44(f).

M. Bypass

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part IV.M.2 and 3 of this section.
2. Notice.
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass to the DHEC/Bureau of Water/ Industrial, Agricultural and Storm Water Permitting Division.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part IV.L.5 of this section.

3. Prohibition of bypass

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part IV.M.2 of this section.
- b. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in Part IV.M.3.a of this section.

N. Upset

- 1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part IV.N.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- 2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated; and
 - c. The permittee submitted notice of the upset as required in Part IV.L.5.b(2) of this section.
 - d. The permittee complied with any remedial measures required under Part IV.E of this section.

3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

O. Misrepresentation of Information

1. Any person making application for a NPDES discharge permit or filing any record, report, or other document pursuant to a regulation of the Department, shall certify that all information contained in such document is true. All application facts certified to by the applicant shall be considered valid conditions of the permit issued pursuant to the application.
2. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, or other documents filed with the Department pursuant to the State law, and the rules and regulations pursuant to that law, shall be deemed to have violated a permit condition and shall be subject to the penalties provided for pursuant to 48-1-320 or 48-1-330.

PART V - TERMINATION OF COVERAGE

A. Notice of Termination

When all discharges associated with petroleum contaminated groundwaters that are authorized by this permit are eliminated, the operator of the facility may submit a Notice of Termination that is signed in accordance with Part IV.K of this permit. The Notice of Termination shall include the following information:

1. Name, mailing address, and location of the facility for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the facility to the nearest 15 seconds;
2. The operator's name, address, telephone number, ownership status and status as Federal, State, private, public or other entity.
3. The NPDES permit number for the discharges associated with petroleum contaminated groundwater facilities identified by the Notice of Termination.
4. The following certification signed in accordance with Part IV.K of this permit:

“I certify under penalty of law that all discharges associated with petroleum contaminated groundwater facilities that are authorized by a NPDES general permit have been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge facility wastewater associated with petroleum contaminated groundwater facilities under this general permit, and that discharging pollutants to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit.”

B. Where to Submit: All Notices of Termination are to be sent, in letter format, to the following address:

SC Dept. of Health and Environmental Control
NPDES/ND Permit Administration
Petroleum Contaminated Groundwater Discharge Notice of Termination
2600 Bull Street
Columbia, SC 29201

PART VI. SCHEDULE OF COMPLIANCE

A. For all of the limits in Part VII.A Freshwater Numeric Effluent Limitations:

1. If any new or additional treatment components are required to meet the final limits of this permit, and are not specifically excluded in Part 67.100.C *Exclusions* of R.61-67 *Standards for Wastewater Facility Construction*, then:
 - a. On or before twenty-four months after the permit effective date, the permittee shall submit three copies of a Final Engineering Report (FER), in accordance with South Carolina Regulation 61-67, which describes how the facility will attain compliance with the limitations set forth in Part VII.A.2 of this permit. Three complete copies of a Construction Permit Application for Wastewater Treatment Facilities shall also be submitted with the FER, if construction is necessary.
 - b. Interim reports of progress describing measures to comply with the final limits in Part VII.A.2 shall be submitted to the Department every nine months beginning nine months after the permit effective date until three years after the permit effective date. The last date may not be a full nine months.
 - c. On or before thirty-six months after the permit effective date, the permittee shall obtain an operating approval for wastewater treatment facilities detailed in the construction permit application submittal described in (a) above, if needed, and the discharge shall be in compliance with the final limitations set forth in Part VII.A.2 of this permit.

PART VII. Limitations and Monitoring Requirements

A. Effluent Limitations and Monitoring Requirements: Interim Limitations for Freshwaters

1. During the period beginning on the effective date of this permit and lasting through January 31, 2007, the permittee is authorized to discharge from outfall serial number 001: Treated Petroleum Contaminated Groundwaters. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations				Monitoring Requirements	
	Mass Units (lbs/day)		Other Units (mg/l)		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow	MR ¹ (mgd)	MR ¹ (mgd)	-	-	1/Month	Estimate ²
Biochemical Oxygen Demand	-	-	10	20	1/Month	Grab
Benzene	-	-	MR ¹	0.005	1/Month	Grab
Ethylbenzene	-	-	0.32	0.64	1/Month	Grab
Naphthalene	-	-	0.023	0.046	1/Month	Grab
Toluene	-	-	0.175	0.350	1/Month	Grab
Total Xylenes	-	-	0.082	0.164	1/Month	Grab
Total Lead	-	-	MR ¹	<0.050	1/Month	Grab
Methyl Tert Butyl Ether (MTBE)	-	-	7.06	14.12	1/Month	Grab
Gasoline Range Organics (GRO)	-	-	MR ¹	MR ¹	1/Month	Grab
EPA Method 8015B	-	-	MR ¹	MR ¹	1/Month	Grab
Diesel Range Organics (DRO) EPA Method 8015B	-	-	MR ¹	MR ¹	1/Month	Grab
1,2-Dichloroethane	-	-	MR ^{1,4}	MR ^{1,4}	1/Month	Grab
Ethylene Dibromide	-	-	MR ^{1,4}	MR ^{1,4}	1/Month	Grab
Surfactants	-	-	MR ¹	MR ¹	1/Month	Grab
Mercury	-	-	MR ¹ , µg/l	MR ¹ , µg/l	1/Month	Grab
pH ³			Min 6.0 s.u. and Max 8.5 s.u.		1/Month	Grab

¹MR: Monitor and Report

²See Part II.J.1

³See Part I.J.

⁴Monitoring for this parameter only required when contamination results from leaded fuel.

- a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):
after treatment but prior to mixing with the receiving stream.

PART VII. Limitations and Monitoring Requirements

A. Effluent Limitations and Monitoring Requirements

Final Limitations for Freshwaters

2. During the period beginning on January 31, 2007 and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 001: Treated Petroleum Contaminated Groundwaters. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations				Monitoring Requirements	
	Mass Units (lbs/day)		Other Units (mg/l)		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow	MR ¹ (mgd)	MR ¹ (mgd)	-	-	1/Month	Estimate ²
Biochemical Oxygen Demand	-	-	10	20	1/Month	Grab
Benzene	-	-	0.0012 ⁴	0.0018 ⁴	1/Month	Grab
Ethylbenzene	-	-	0.32	0.64	1/Month	Grab
Naphthalene	-	-	0.023	0.046	1/Month	Grab
Toluene	-	-	0.175	0.350	1/Month	Grab
Total Xylenes	-	-	0.082	0.164	1/Month	Grab
Total Lead	-	-	0.00083 ⁴	0.022	1/Month	Grab
Methyl Tert Butyl Ether (MTBE)	-	-	7.06	14.12	1/Month	Grab
Gasoline Range Organics (GRO)	-	-	MR ¹	MR ¹	1/Month	Grab
EPA Method 8015B	-	-	MR ¹	MR ¹	1/Month	Grab
Diesel Range Organics (DRO) EPA Method 8015B	-	-	MR ¹	MR ¹	1/Month	Grab
1,2-Dichloroethane	-	-	MR ^{1,5}	MR ^{1,5}	1/Month	Grab
Ethylene Dibromide	-	-	MR ^{1,5}	MR ^{1,5}	1/Month	Grab
Surfactants	-	-	MR ¹	MR ¹	1/Month	Grab
Total Mercury	-	-	MR ¹ , µg/l	MR ¹ , µg/l	1/Month	Grab
pH ³			Min 6.0 s.u. and Max 8.5 s.u.		1/Month	Grab

¹MR: Monitor and Report

²See Part II.J.1

³See Part I.J.

⁴See Part VIII.E.

⁵Monitoring for this parameter only required when contamination results from leaded fuel.

- a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):
after treatment but prior to mixing with the receiving stream.

PART VII. Limitations and Monitoring Requirements

A. Effluent Limitations and Monitoring Requirements Limitations for Saltwaters

3. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 001: Treated Petroleum Contaminated Groundwaters. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations				Monitoring Requirements	
	Mass Units (lbs/day)		Other Units (mg/l)		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow	MR ¹ (mgd)	MR ¹ (mgd)	-	-	1/Month	Estimate ²
Biochemical Oxygen Demand	-	-	10	20	1/Month	Grab
Benzene	-	-	0.0012 ⁴	0.0018 ⁴	1/Month	Grab
Ethylbenzene	-	-	0.013	0.026	1/Month	Grab
Naphthalene	-	-	0.071	0.14	1/Month	Grab
Toluene	-	-	0.19	0.38	1/Month	Grab
Total Xylenes	-	-	10	15	1/Month	Grab
Total Lead	-	-	0.0085	0.22	1/Month	Grab
Methyl Tert Butyl Ether (MTBE)	-	-	MR ¹	MR ¹	1/Month	Grab
Gasoline Range Organics (GRO)	-	-	MR ¹	MR ¹	1/Month	Grab
EPA Method 8015B	-	-	MR ¹	MR ¹	1/Month	Grab
Diesel Range Organics (DRO) EPA Method 8015B	-	-	MR ¹	MR ¹	1/Month	Grab
1,2-Dichloroethane	-	-	MR ^{1,5}	MR ^{1,5}	1/Month	Grab
Ethylene Dibromide	-	-	MR ^{1,5}	MR ^{1,5}	1/Month	Grab
Surfactants	-	-	MR ¹	MR ¹	1/Month	Grab
Total Mercury	-	-	MR ¹ , µg/l	MR ¹ , µg/l	1/Month	Grab
pH ³			Min 6.5 s.u. and Max 8.5 s.u.		1/Month	Grab

¹MR: Monitor and Report

²See Part II.J.1

³See Part I.J.

⁴See Part VIII.E.

⁵Monitoring for this parameter only required when contamination results from leaded fuel.

- a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):
after treatment but prior to mixing with the receiving stream.

PART VII. Limitations and Monitoring Requirements

B. Toxicity Effluent Limitations and Monitoring Requirements for FRESHWATERS and SALTWATERS

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 001: Treated Petroleum Contaminated Groundwaters. Such discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Average ¹	Maximum ¹	Measurement Frequency	Sample Type
<i>Ceriodaphnia dubia</i> Chronic Whole Effluent Toxicity @ CTC= 100%	MR % ²	MR % ²	1/Term ³	24 hour composite
<i>Ceriodaphnia dubia</i> Chronic Whole Effluent Toxicity-Reproduction @ CTC= 100%	MR % ²	MR % ²	1/Term ³	24 hour composite
<i>Ceriodaphnia dubia</i> Chronic Whole Effluent Toxicity- 7-day Survival @ CTC= 100%	MR % ²	MR % ²	1/Term ³	24 hour composite

¹ Average is defined as the mean of percent effects for all valid tests performed during the monitoring period following the procedures given in Part VIII.H.1.d. Maximum is defined as the highest percent effect of all valid tests performed during the monitoring period following the procedures in Part VIII.H.1.d.

² See Part VIII.H.1 for additional toxicity reporting requirements. MR = Monitor and Report.

³ Valid tests must be separated by at least 13 days (from the time the first sample is taken to start one test until the time the first sample is taken to start a different test). There is no restriction on when a new test may begin following a failed or invalid test.

- a. Samples used to demonstrate compliance with the discharge limitations and monitoring requirements specified above shall be taken at or near the final point-of-discharge but, prior to mixing with the receiving waters or other waste streams.
- b. If only one valid test is conducted during a monitoring period, results from that test must be used to assess compliance with the average limit as well as the maximum limit. If more than one valid test is completed during the monitoring period, the mean percent inhibition of all valid tests must be used to demonstrate compliance with the average limit.
- c. Valid test results from split samples shall be reported on the DMR. For reporting an average on the DMR, individual valid results for each test from a split sample are averaged first to determine a sample value. That value is averaged with other sample results obtained in the reporting period and the average of all sample results reported. For reporting the maximum on the DMR, individual valid results for each test from a split sample are averaged first to determine a sample value. That value is compared to other sample results obtained in the reporting period and the maximum of all sample results reported. For the purposes of reporting, split samples are reported as a single sample regardless of the number of times it is split. All laboratories used shall be identified on the DMR attachment.

PART VII. Limitations and Monitoring Requirements

B. Toxicity Effluent Limitations and Monitoring Requirements for SALTWATERS

2. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 001: Treated Petroleum Contaminated Groundwaters. Such discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Average ¹	Maximum ¹	Measurement Frequency	Sample Type
<i>Mysidopsis bahia</i> Chronic Whole Effluent Toxicity @ CTC= 100%	25 % ²	40 % ²	1/Term ³	24 hour composite
<i>Mysidopsis bahia</i> Chronic Whole Effluent Toxicity-Growth @ CTC=100%	MR % ²	MR % ²	1/Term ³	24 hour composite
<i>Mysidopsis bahia</i> Chronic Whole Effluent Toxicity-Fecundity @ CTC=100%	MR % ²	MR % ²	1/Term ³	24 hour composite
<i>Mysidopsis bahia</i> Chronic Whole Effluent Toxicity-7-day Survival @ CTC=100%	MR % ²	MR % ²	1/Term ³	24 hour composite

¹ Average is defined as the mean of percent effects for all valid tests performed during the monitoring period following the procedures given in Part VIII.H.1.d. Maximum is defined as the highest percent effect of all valid tests performed during the monitoring period following the procedures in Part VIII.H.1.d.

² See Part VIII.H.1 for additional toxicity reporting requirements. MR = Monitor and Report.

³ Valid tests must be separated by at least 13 days (from the time the first sample is taken to start one test until the time the first sample is taken to start a different test). There is no restriction on when a new test may begin following a failed or invalid test.

- Samples used to demonstrate compliance with the discharge limitations and monitoring requirements specified above shall be taken at or near the final point-of-discharge but, prior to mixing with the receiving waters or other waste streams.
- If only one valid test is conducted during a monitoring period, results from that test must be used to assess compliance with the average limit as well as the maximum limit. If more than one valid test is completed during the monitoring period, the mean percent inhibition of all valid tests must be used to demonstrate compliance with the average limit.
- Valid test results from split samples shall be reported on the DMR. For reporting an average on the DMR, individual valid results for each test from a split sample are averaged first to determine a sample value. That value is averaged with other sample results obtained in the reporting period and the average of all sample results reported. For reporting the maximum on the DMR, individual valid results for each test from a split sample are averaged first to determine a sample value. That value is compared to other sample results obtained in the reporting period and the maximum of all sample results reported. For the purposes of reporting, split samples are reported as a single sample regardless of the number of times it is split. All laboratories used shall be identified on the DMR attachment.

3. The Department will determine the appropriate WET test species based on the receiving water to which the discharge flows.

PART VIII - SPECIAL CONDITIONS

- A. A facility with multiple NPDES outfalls discharging substantially identical NPDES permitted effluents may collect and analyze an effluent sample from one of those outfalls and report that the data also apply to the other substantially identical outfalls. The permittee must explain why the outfalls are expected to be substantially identical effluents with submission of DMRs.
- B. Chemical Addition: Approval from the Department must be obtained prior to chemical addition or other types of treatment to maintain compliance with the NPDES permit. A determination will be made by the Department as to whether the discharge can still be covered under the permit and a construction permit may be required for any type of treatment system. The discharge of chemicals into wastewater for reasons other than maintaining compliance with the NPDES permit will be considered process wastewater and will need to be covered under an individual permit or if available, an alternative general permit.
- C. Releases in Excess of Reportable Quantities. The discharge of hazardous substances or oil in the discharge(s) from a facility shall be prevented or minimized. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. Where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:
1. The discharger is required to notify both the Department's Emergency Response Section at (803) 253-6488 and the National Response Center (NRC) (800-424-8802) in accordance with the requirements of 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;
 2. The permittee shall submit within 14 calendar days of knowledge of the release a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with Part VII.F (below) of this permit to both:

Emergency Response Section
SC Dept. of Health and Environmental Control
2600 Bull Street
Columbia, S.C. 29201; and

EPA Region IV
Atlanta Federal Center
61 Forsyth Street SW
Atlanta, Ga. 30303-3104

- D. Spills. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.
- E. The Water Quality-Based Effluent Limitations (WQBEL) for the parameters listed are not quantifiable using EPA-approved analytical methods. Therefore, the practical quantitation limit (PQL) using the analytical method stated below shall be considered as being in compliance with the limit provided appropriate biological monitoring requirements are incorporated into the permit.

Parameter	Analytical Method	PQL
Benzene	EPA Method 624, 1624B or 8260 B	2.0 µg/l
Lead	EPA Method 200.8, 200.9 or SM3113B	2.0 µg/l

- F. All Weather Access Road. The permittee shall maintain an all weather access road to the wastewater treatment plant and appurtenances at all times.
- G. Reopener Clause - Monitoring results. This permit may be modified, revoked and reissued, terminated, or General Permit coverage revoked and an individual permit reissued based on the results from the required monitoring or the finding of any new information.

H. Whole Effluent Toxicity (WET) –

1. For the requirements identified in Part VII.B.1: Freshwaters and Saltwaters
 - a. A *Ceriodaphnia dubia* three brood chronic toxicity test shall be conducted at the frequency stated in Part VII.B, “Effluent Toxicity Limitations and Monitoring Requirements,” using the chronic test concentration (CTC) of 100 % and the following test concentrations: 0% (control), 12.5%, 25%, 50%, and 100% effluent. The permittee may add additional test concentrations without prior authorization from the Department provided that the test begins with at least 10 replicates in each concentration and all data is used to determine permit compliance.
 - b. The test shall be conducted using EPA Method 1002.0 in accordance with “Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms,” EPA/821/R-02/013 (October 2002).
 - c. The permittee shall use the 3-parameter logistic regression (3PLR) model assuming a binomial distribution for survival and a Poisson distribution for reproduction as recommended in the DHEC Bureau of Water document entitled “Options for Data Analysis of Whole Effluent Toxicity Testing Required by NPDES Permits,” September 2001 for calculating biological effect (percent inhibition) at the applicable CTC.
 - d. Percent effect is the difference between control and test group performance expressed as a percentage of control group performance, or

$\% \text{ effect} = (1 - \frac{\text{test group performance}}{\text{control group performance}}) * 100$, where performance is survival or reproduction. The permittee shall report the percent effect on both *Ceriodaphnia dubia* survival and reproduction at the CTC. Overall percent effect is the greater of the percent effect on survival and reproduction.

- e. All valid toxicity test results shall be submitted on the DHEC Form 3710 entitled “DMR Attachment for Toxicity Test Results” in accordance with Part II.L.4. In addition, results from all invalid tests must be appended to DMRs, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.
 - f. This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.
2. For the requirements identified in Part VII.B.2: Saltwaters
- a. A *Mysidopsis bahia* survival, growth and fecundity (chronic toxicity) test shall be conducted at the frequency stated in Part VII.B, “Effluent Toxicity Limitations and Monitoring Requirements,” using the chronic test concentration (CTC) of 100% and the following test concentrations: 0% (control), 12.5%, 25%, 50%, and 100% effluent. The permittee may add additional test concentrations without prior authorization from the Department provided that the test begins with at least 8 vessels each containing 5 organisms per concentration and all data is used to determine permit compliance. The effluent’s salinity may be adjusted to 20 to 30 parts per thousand (ppt) by the addition of salts before the test is performed. The effluent shall not be diluted to achieve a lower salinity.
 - b. The test shall be conducted using EPA Method 1007.0 in accordance with “Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms,” EPA/821/R-02/014 (October 2002).
 - c. The permittee shall use the 3-parameter logistic regression (3PLR) model assuming a binomial distribution for survival and a Poisson distribution for fecundity as recommended in the DHEC Bureau of Water document entitled “Options for Data Analysis of Whole Effluent Toxicity Testing Required by NPDES Permits,” September 2001 and a normal distribution (least squares regression) for growth for calculating biological effect (percent inhibition) at the applicable CTC.
 - d. Percent effect is the difference between control and test group performance expressed as a percentage of control group performance, or
 $\% \text{ effect} = (1 - \frac{\text{test group performance}}{\text{control group performance}}) * 100$, where performance is survival, growth or

fecundity. The permittee shall report the percent effect on *M. bahia* survival, growth and fecundity at the CTC. Overall percent effect is the greatest of the percent effect on survival, growth and fecundity.

- e. (1) A test shall be invalidated if any part of Method 1007.0 is not followed or if the laboratory is not certified at the time the test is conducted.

(2) If the control fecundity is <50%, the permittee may enter “H” in the fecundity box on the toxicity DMR and add the statement to the Comment Section of the DMR that “H indicates control fecundity is <50% without invalidating the test.”
- f. All valid toxicity test results shall be submitted on the DHEC Form 3710 entitled “DMR Attachment for Toxicity Test Results” in accordance with Part II.L.4. In addition, results from all invalid tests must be appended to DMRs, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.
- g. This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.